

REMARKS

In the final Office Action, dated September 4, 2007, the Examiner allows claims 1-17, 26-27, and 29; rejects claims 23-25 and 30 under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent Application Publication No. 2003/0137930 (hereafter "FUTERNIK") in view of U.S. Patent Application Publication No. 2004/0192197 (hereinafter "CAPOTS"); and rejects claim 28 under 35 U.S.C. § 102(e) as being allegedly anticipated by FUTERNIK.

By way of present amendment, Applicant cancels claims 23-25, 28 and 30 without prejudice or disclaimer. Claims 1-17, 26-27 and 29 remain pending.

Applicant notes with appreciation that claims 1-17, 26-27 and 29 are allowed. Applicant submits that all the pending claims have been allowed by the Examiner. The rejections of claims 23-25, 28, and 30 under 35 U.S.C. § 102 and § 103 are rendered moot in light of the cancellation of these claims.

If the Examiner does not believe that all pending claims are now in condition for allowance, the Examiner is urged to contact the undersigned to expedite prosecution of this application.

As Applicant's amendments and remarks with respect to the Examiner's rejections are sufficient to overcome the rejections, Applicant's silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, etc.) is not a concession by Applicant's that such assertions are accurate or such requirements have been met, and Applicant's reserves the right to analyze and dispute such assertions/requirements in the future.

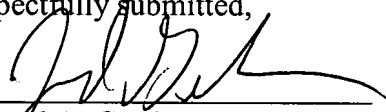
Application No. 10/625,991
Amendment dated November 5, 2007
After Final Office Action of September 4, 2007

Docket No.: BBNT-P01-036

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. BBNT-P01-036 from which the undersigned is authorized to draw.

Dated: November 5, 2007

Respectfully submitted,

By 

Edward A. Gordon

Registration No.: 54,130

ROPES & GRAY LLP

One International Place

Boston, Massachusetts 02110

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant